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January 25, 2007

**VIA FACSIMILE**

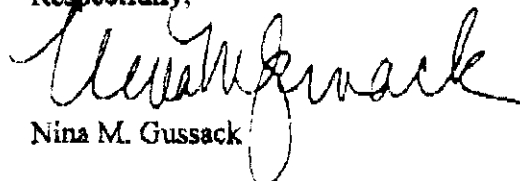
Honorable Jack B. Weinstein  
Senior United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *In re Zyprexa Products Liability Litigation*  
MDL 1596

Dear Judge Weinstein:

As the Court requested at the hearing on January 17, 2007, I advised counsel for Dr. Egilman that Lilly intended to proceed with a contempt motion against Dr. Egilman and seek those sanctions the Court deems appropriate, which may include both civil and criminal sanctions. I have received and have attached Dr. Egilman's counsel's letter advising that Dr. Egilman, "if deposed in regard to the Zyprexa case, will refuse to testify under the protection of the Fifth Amendment." In light of Dr. Egilman's counsel's agreement that such a letter "will have the equivalence of his taking the Fifth for purposes of evidence" (January 17, 2007 Tr. at 250-51), Lilly will not be proceeding to take Dr. Egilman's deposition.

Respectfully,

  
Nina M. Gussack

NMG/lis  
Attachment

cc: Edward W. Hayes, Esquire  
Peter H. Woodin, Esquire

**FILED**  
IN CLERK'S OFFICE  
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